

Dear Consumer,

Find enclosed the complaint form used to report a potential violation of the Kansas Consumer Protection Act (KCPA) to Attorney General Phill Kline's Consumer Protection Division.

Please be accurate, concise and neat when completing the form, and try to fully complete the form. Be certain to attach copies of all relevant documents (such as sales receipts, bills or exhibits). Do not send original documents, and do not send any material to our Division via fax machine.

Please consider the following as you complete this form:

*PHILOSOPHY AND MISSION STATEMENT OF ATTORNEY GENERAL
PHILL KLINE'S CONSUMER PROTECTION/ANTITRUST DIVISION*

The Consumer Protection/Antitrust Division strives to promote human dignity through justice with compassion by carrying out its statutory duties under the KCPA with professional excellence and judicious restraint.

- *The Division exists to promote healthy commerce by investigating and taking enforcement action against deceptive, unconscionable and anti-competitive business practices.*
- *The Division strives to minimize the need for such investigations and enforcement action by educating consumers, suppliers and business leaders.*
- *When enforcement action must be taken, the Division vigorously prosecutes violators of the KCPA toward the goal of developing a body of case law that protects Kansans from unscrupulous business practices.*

It is important to understand how this law-enforcing Division of state government differs from the private bar. We are not a private law firm representing individual Kansans, but rather a statutorily-created public interest law firm established to act for the good of *all* Kansans. For that reason we consider more than just the facts of your particular case when we analyze your complaint, and for that reason we handle your complaint in a different manner than would a private attorney. Our review causes us to first and foremost consider the public harm allegedly being done. Some are disappointed to learn that we are not an alternative

to the private bar, but such is the limited jurisdiction this Division is granted under the Consumer Protection Act, a limitation which ensures that our Division works for the well being of all Kansas taxpayers, and not just a privileged few.

Our goal is to initiate investigations against suppliers who are engaged in ongoing consumer transactions harming multiple Kansans. In other words, we target companies that have made an (apparently) conscious business decision to operate in an illegal fashion. The farther your individual situation strays from that primary target, the less likely it is that scarce state resources will be assigned to investigate or take enforcement action against the business named in your complaint. Complaints that stray from this primary target are often better taken to the Better Business Bureau, small claims court, the private bar or other such non-law enforcement agencies.

Be assured, all complaints receive a thorough review by at least one attorney-agent team. It is our goal to subject all complaints to a standard analysis, in which the following questions are answered: Is this a violation of the KCPA? If not, what educational material and/or advice can we provide this consumer regarding resolution of his or her complaint? If an apparent or possible violation exists, does our database contain other complaints against this business? What alternative avenues to complaint resolution may better serve this consumer?

Due to the great volume of complaints our Division receives and the need to encourage consumers to communicate with businesses, we often ask the consumer to consider taking some of the first nine steps set forth in the enclosed brochure (entitled Ten Steps to Resolving Disputes with Merchants) before this office acts. If you have taken any of those nine steps, please document which steps you have taken on the complaint form.

Finally, please carefully read the paragraph labeled "verification" at the end of the complaint form, as that your signature on the complaint form is your agreement to the terms set forth in that paragraph.

We look forward to reviewing your complaint form with all necessary supporting documentation. Please reference the section letters when attaching any documents or explanatory comments to the complaint form.

OFFICE OF THE ATTORNEY GENERAL
PHILL KLINE

Bryan J. Brown
Deputy Attorney General
Consumer Protection / Antitrust Division

State Of Kansas
Office of the Attorney General
CONSUMER PROTECTION/ANTITRUST DIVISION
120 SW 10TH STREET, SUITE 430
TOPEKA, KANSAS 66612-1597
PHONE: (785) 296-3751

Office Use Only

Agent: _____
Category: _____
File No.: _____

CONSUMER INFOLINE
(785) 296-2424

CONSUMER HOTLINE
1-800-432-2310

PHILL KLINE
ATTORNEY GENERAL
Website: www.ksag.org

CONSUMER COMPLAINT

INFORMATION ABOUT THE CONSUMER (SIGNATURE ON BACK REQUIRED)

NAME: MR. MS.		DATE OF BIRTH:
ADDRESS:		APT. #:
CITY, STATE, ZIP:		
DAYTIME PHONE #: (REQUIRED)	REGISTERED ON NO CALL? Yes No	
I AM A (CIRCLE ONE):	INDIVIDUAL	SOLE PROPRIETOR
FAMILY PARTNERSHIP	PARTNERSHIP	CORPORATION

INFORMATION ABOUT THE COMPANY YOUR COMPLAINT IS AGAINST

COMPANY NAME:
ADDRESS:
CITY, STATE, ZIP:
PHONE #:
SALESPERSON:
CONTACT PERSON:

INFORMATION ABOUT THE TRANSACTION (REFERENCE SECTION LETTERS WHEN ATTACHING SUPPLEMENTAL INFORMATION)

DATE OF TRANSACTION:	COUNTY / PLACE OF TRANSACTION:	SECTION LETTERS
DID YOU SIGN A CONTRACT?	DATE SIGNED:	DID YOU HAVE A VERBAL AGREEMENT?
PRODUCT OR SERVICE INVOLVED:		A.
AMOUNT PAID: \$ _____ PAID BY: _____ CASH _____ CHECK _____ CREDIT CARD _____ LOAN _____ DIRECT DEPOSIT/TRANSFER		B.
ARE YOU MAKING PAYMENTS ON A CONTRACT, CREDIT CARD, OR OTHER SUCH PAYMENT PLAN? _____ IF SO, LIST COMPANY NAME, ADDRESS, AMOUNTS PAID, AND YOUR ACCOUNT NUMBER:		C.
FIRST CONTACT BETWEEN YOU AND THE COMPANY: (CHECK ONE) ____ PERSON CAME TO MY HOME ____ I TELEPHONED THE COMPANY ____ I RESPONDED TO A RADIO/TV AD/MAILING ____ I WENT TO COMPANY'S PLACE OF BUSINESS ____ I RECEIVED A TELEPHONE CALL FROM COMPANY ____ OTHER (EXPLAIN)		D.
WHERE DID THE TRANSACTION TAKE PLACE: (CHECK ONE) ____ OVER THE PHONE ____ AT HOME ____ AT THE COMPANY ____ BY MAIL ____ OTHER (EXPLAIN)		E.

CONSUMER HARM

BRIEFLY EXPLAIN HOW YOU HAVE BEEN HARMED:	HOW COULD THIS HARM BE REMEDIED? (CIRCLE ONE) REFUND SERVICE PERFORMED ENFORCEMENT ACTION
PRODUCT DELIVERY OTHER	
F.	G.

PLEASE COMPLETE BOTH SIDES - INCOMPLETE FORMS MAY BE RETURNED

ACTION YOU HAVE TAKEN

HAVE YOU CONTACTED THE COMPANY? _____ DESCRIBE RESULT OR EXPLAIN WHY YOU HAVE NOT CONTACTED THE COMPANY: _____

SECTION
LETTERS
H.

HAVE YOU FILED A COMPLAINT WITH THE BETTER BUSINESS BUREAU OR ANY OTHER AGENCIES? _____

WHAT RESPONSE HAVE YOU RECEIVED? _____

I.

DO YOU KNOW OF OTHERS WITH SIMILAR EXPERIENCES WITH THIS SUPPLIER? _____

WHO AND WITH WHAT RESULT? _____

J.

HAVE YOU SOUGHT THE ADVICE OF AN ATTORNEY REGARDING THIS COMPLAINT? _____ WHO IS THE ATTORNEY? _____

WHAT WERE YOU ADVISED? _____

K.

HAS LEGAL ACTION BEEN TAKEN BY YOU OR AGAINST YOU WITH REGARD TO THIS COMPLAINT? _____ IF SO, PLEASE DESCRIBE THE CURRENT STATUS OF ANY LEGAL ACTION: _____

ARE YOU CONSIDERING FILING AN ACTION IN SMALL CLAIMS COURT? _____

L.

DESCRIPTION OF TRANSACTION

PLEASE DESCRIBE THE TRANSACTION IN CHRONOLOGICAL ORDER (ADD ADDITIONAL PAGES AS NECESSARY).

_____ M.

I ALLEGE THIS TRANSACTION WAS DECEPTIVE BECAUSE: _____

N.

I ALLEGE THIS TRANSACTION WAS UNCONSCIONABLE/UNSCRUPULOUS/UNETHICAL BECAUSE: _____

O.

DOCUMENTATION OF THE TRANSACTION

PLEASE PROVIDE COPIES OF ALL DOCUMENTS RELEVANT TO THIS COMPLAINT, INCLUDING ADVERTISING MATERIAL, CONTRACTS, WARRANTY INFORMATION, RECEIPTS, LETTERS, CHECKS (FRONT AND BACK), PHOTOGRAPHS, BILLS, AND INVOICES, ETC. FAILURE TO PROVIDE ALL RELEVANT DOCUMENTS MAY CAUSE UNNECESSARY DELAY IN THE HANDLING OF YOUR COMPLAINT.

_____ DOCUMENTS ENCLOSED

_____ NOTHING TO ATTACH

P.

VERIFICATION

I AM: _____ OVER AGE 60 _____ OVER AGE 70 _____ PARTIALLY DISABLED _____ TOTALLY DISABLED _____ ILLITERATE
_____ NON-ENGLISH SPEAKING _____ OTHER SPECIAL CIRCUMSTANCES (DESCRIBE) _____ Q.

IN FILING THIS COMPLAINT, I UNDERSTAND AND AGREE THAT THE ATTORNEY GENERAL AND HIS STAFF ARE NOT MY PRIVATE ATTORNEYS, BUT INSTEAD REPRESENT THE STATE OF KANSAS IN ENFORCING LAWS DESIGNED TO PROTECT THE PUBLIC FROM DECEPTIVE AND UNCONSCIONABLE BUSINESS ACTS AND PRACTICES. I UNDERSTAND THAT KANSAS LAW LIMITS THE PERIOD OF TIME DURING WHICH I MAY FILE ANY PRIVATE LEGAL ACTION(S), AND I HAVE BEEN ADVISED TO CONTACT A PRIVATE ATTORNEY IF I HAVE ANY QUESTIONS CONCERNING THOSE TIME LIMITATIONS AND MY LEGAL RIGHTS WITH REGARD TO ANY PRIVATE ACTION(S). I FURTHER UNDERSTAND AND AGREE THAT THE CONTENTS OF THIS COMPLAINT MAY BE FORWARDED TO THE BUSINESS OR PERSON THE COMPLAINT IS DIRECTED AGAINST, MAY BE FORWARDED TO OTHER APPROPRIATE AGENCIES, AND WILL BECOME ACCESSIBLE TO OTHERS UNDER THE KANSAS OPEN RECORDS ACT. FINALLY, I DECLARE AND VERIFY UNDER PENALTY OF PERJURY AND THE LAWS OF KANSAS THAT ALL OF THE FOLLOWING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF COMPLAINANT
(REQUIRED)

DATE

